

Remarks/Arguments:

Claims 30-34 and 38, presented hereby, were previously presented.

Claims 19-29 and 35-37 are cancelled, hereby, without prejudice or disclaimer.

Entry of the instant amendment after final rejection is requested because it would place the subject application in form for immediate allowance. That is, entry of the instant amendment would render claims 30-34 and 38 the only active claims and, as detailed below, the Advisory Action implicitly indicates that claims 30-34 and 38 are allowable.

According to the Advisory Action, if claims 30-38 (presented in the previously filed amendment) were entered, all but one rejection of record would be withdrawn; the rejection under 35 USC 112, paragraph 1, for alleged lack of enablement would be maintained against claims 35-37. Besides the maintained rejection under section 112, paragraph one, the Advisory Action (page 2, paragraphs 1, 6, and 7) alleges that the new claims contain “new matter” - the alleged new matter being “to maintain . . . bone growth” (claims 35 and 36) and the limitation “to protect . . . bone density” (claim 37).

On the other hand, according to the Advisory Action claims 30-34 and 38 are, apparently, allowable. Neither the single, maintained rejection for alleged lack of enablement (section 112, paragraph 1) nor the new rejection for alleged “new matter” would be applied to any of claims 30-34 and 38 (if entered), according to the Advisory Action. Accordingly, the Advisory Action implicitly indicates that claims 30-34 and 38, if presented as the only active claims, would be entered and allowed.

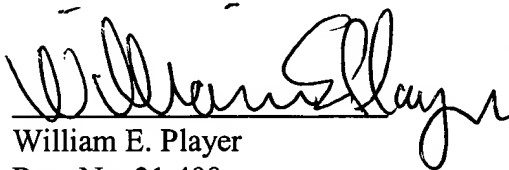
Applicants wish to thank the Examiner for the careful consideration given, after final rejection, to the previously filed amendment and for the corresponding detailed remarks provided in the Advisory Action.

Favorable action is requested.

Respectfully submitted,

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Date: February 3, 2004
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